#### PRICE TWO CENTS.

### WEINSEIMER HITTING BACK.

EVIDENCE AGAINST EMPLOYERS GIVEN TO HIS PROSECUTOR.

Formal Demand Made for the Indictment of Members of a Trade Association for Conspiracy-Won't Set "Diamond Phil" Free, but May Lead to Prosecutions-Alliance Back of the Move.

The prosecution of "Diamond Phil" Weinseimer, president of the Building Trades Alliance, on the charge of extortion, is not to pass without a determined effort being made by his counsel (who also represent the Building Trades Alliance) to show that certain employers should also be criminally prosecuted. A mass of evidence to this end was submitted vesterday to the District Attorney, and he was asked to consider whether or not it could be used by him as a basis for the

criminal prosecution of certain employers. The evidence was read over by Assistant District Attorney Rand, who prosecuted Sam Parks and sent him to the jail in which he died. Mr. Rand will have active charge of the prosecution of Weinseimer. After reading the evidence submitted by Weinseimer's counsel, Mr. Rand said he wanted more and was told that more would be produced.

The bundle of evidence was taken to the District Attorney's office by Frank Adam Acer, manager of the People's Security Company, and J. C. Toole of the same company, who represent Weinseimer. They were accompanied by J. J. Ryan, a lawyer who comes from Western New York, where he has been in Democratic politics, and who is now connected with the People's Security Company

It was thought in some quarters that the object of the move was to scare off the prosecutors of Weinseimer. But this was denied, and J. J. Daly, chairman of the press committee of the Building Trades Alliance, practically admitted that the alliance was assisting in presenting the evidence.

If the evidence was taken to the District Attorney for the purpose of having some effect on the prosecution of Weinseimer, failed signally. Just now there is a feeling in the District Attorney's office that the case against "Diamond Phil" is as trong, if not stronger, than was the case gainst Sam Parks when it was first taken

Acer, Toole and Ryan went to the District Attorney's office with the evidence yesterday afternoon by appointment. Early in the morning one of them had called up Mr. Rand and told him that they had some important matters which they wanted to lay before him. Mr. Rand told them to come along. In his long dealings with labor graft charges Mr. Rand has accumulated much valuable information and ex-

The trio came, Mr. Acer carrying a big bundle under his arm. The bundle con-tained the evidence. If the size of the roll indicated anything there was lots of it. The conference lasted an hour and a half. During that time Mr. Rand read over the documents presented to him and asked questions. Requests to him to do certain things were made which he turned down and other things were suggested which he

aid he would take under advisement. After the conference Mr. Toole was asked if he and his companions hadn't left with Mr. Rand evidence tending to show that certain employers had been guilty of blacklisting and using unfair methods against "Haven't certain contractors been accused

of conspiring against other contractors?

"Yes," he said. "Many of the contractors or employers are not contractors at all. They are simply agents for a combination. Mr. Acer, while not being very explicit, went more into detail about the conference than did his partner. He said:

"The conspiracy provisions of the Penal Code have heretofore been used in labor matters exclusively as weapons in the hands of the employers as against organized labor. Now things have come to our attention which indicate that a fair demonstration of the criminal law makes neces sary the prosecution of certain partie who have been prominent in the employers' end of this labor controversy.

"Evidence along these lines was subnitted to the District Attorney to-day, and we are satisfied that prompt and effec-tive action will be taken by his office to enforce the law against illegal combinations which restrain trade and prevent laboring men from pursuing their calling within the city

We do not at this time consider it advisable to go into the particulars of these matters, as they will soon become matters of public record."

From what Mr. Rand had to say it is evident that Mr. Acer and his associates hope to formulate a conspiracy charge against one or more employers. Mr. Rand said that Mr. Acer and his companions consulted him as attorneys for Weinseimer. He was asked if there had been any talk about unions being used as a club by an employers' organization to bring other employers outside of the fold into the organiza-

tion. "Yes," said Mr. Rand, "that was dis-

"Understand, now," he continued. "I am not speaking of the Building Trades Employers' Association. Each trade, I ters' association in certain trades has used the union in those trades to force the hand of an employer who would not join the association. I think that was shown in THE Sun on Sunday in the decision by Magistrate Ommen in the proceedings against the Journeymen Stonecutters' Associa tion and the Employing Stonecutters' there was an agreement between the employers and the journeymen fixing a minimum price on contracts, 10 per cent. of ployers' association and 10 per cent. into the union treasury. Of course, that parcelled out the contracts so that a man out-

"Magistrate Ommen in the case of the stonecutters has held some men for conspiracy. Acer and his people say that this custom obtains in every one of the unions in the building trades. In conference with me he named one union in particular. I do not intend, at this time, to tell the name of that union. They showed me papers and documents which they believe will prove that charge. I didn't believe that there was enough evidence and told them that I wanted to see more Now, until there is a final decision in the stonecutters' case, I feel that there is little reason for going ahead with a similar case,

the People's Security Company. There

they had another long conference with Weinselmer and John J. Daly of the Building Trades Alliance. There was a story that Weinseimer's counsel had brought an offer to Mr. Rand that "Diamond Phil" would make a confession and turn State's evidence, divulging the secrets of his organization and some things about the employers. This was denied by Mr. Rand

and also by Weinseimer's counsel. After Weinselmer, his counsel and Daly had had a long talk Daly was asked if any prominent employers had been named in the evidence submitted to Mr. Rand. He

"Well, there's one thing certain, we are not fishing for killies."

Weinselmer will be arraigned before Judge Newburger to-day to plead to the indictment charging him with extorting \$2,700 from George J. Essig, a boss plumber at 29 Hancock place, for calling off a strike on the new Chatsworth apartment house at Seventy-second street and Riverside Weinseimer's counsel will make a motion to inspect the minutes of the Grand Jury, and he will plead not guilty. It was hinted around the Criminal Courts Building that eminent counsel will be employed to defend Weinseimer, but this was denied by Mr. Toole, who said:

"All we ask for is a speedy trial. We do not contemplate calling in other counsel, but we will do everything to protect our client under the law."

In an indefinite way counsel for Weinseimer have said all along that there was trouble ahead for the employers.

"This is only the skirmish line," Mr. Acer said yesterday. "Do you know that the last statement that Sam Parks made on his deathbed was that the first piece of dirty money he ever received came from a man who is now a leader in the building trades against organized labor?"

TORNADO WIPES OUT A TOWN. Three Killed and Fifty Persons Injured

in Willow Lakes, S. D. BRYANT, S. D., Aug. 22.-The town of Willow Lakes is nearly in ruins and over half of Bryant is destroyed as the result of a tornado on Saturday night. Railway service on the St. Paul road has been abanoned and telegraph communication over the State has been interrupted. The storm centre was near Willow Lakes, a town of 450 inhabitants

Three persons were killed there and more than one hundred persons are injured, and it is feared the bodies of many dead are in the ruins. A tornado cloud was sighted here Saturday afternoon, but seemed to veer off and go westward. At night, following a sudden burst of hail, the tornado struck Bryant and Willow Lakes. Lightning fired the ruins which the wind storm had razed to the ground.

The storm twister struck Willow Lakes about 9 o'clock. All four grain elevators were destroyed and the churches razed to the ground. The railroad station was torn bodily from its foundation, and after being carried through the air for fifty feet was deposited on the outer side of the tracks. Scores of houses were picked up by the wind and hurled to the ground. Barns and outhouses were smeshed to splinters, many houses unroofed, the hotel and creamery wrecked and the bank badly damaged. Scarcely a house was left standing on its original foundations, and few escaped without injury.

bank, a weekly paper, a hotel, creamery, three churches and four grain elevators. | tive board will hold a meeting at 8 o'clock The property loss may reach \$600,000.

BLACK HAND NOTE FROM WOMAN

Or a Fool, Says Jersey City Man, Who Asked for \$50,000.

Charles Kreiger, who keeps a dry goods store in Washington street, Jersey City, opposite the post office, received the following letter in the first mail yesterday

KRIGER A man will be in your store to-night at 8 o'clock. Hand him 50,000 and nor say word or if you do I will kill you and you

The letter was written in a feminine hand. The dry goods man hurried around to the First precinct station and told Acting Police Captain Wade of the letter. He was sure it had been written by a woman r a darn fool, he couldn't tell which.

"No Black Hand who understood his business," he said, "would announce that he was coming around to my store at a pertain hour for money. He would know that I would have a cop on hand to take care of him."

Kreiger said he wasn't worried, but he hoped Wade would send a man around to his store at 8 o'clock to greet any lunatic who was foolish enough to suppose he would hand out \$50,000. A police officer was on deck last night, but no agent of the

Black Hand put in an appearance. "Some people have a funny idea of joke," said the dry goods man. "It's no joke to demand more money than a man has and threaten to murder him and his

LACKAWANNA'S FORCE CUT. One Man Taken Off All Trains Except

Those in Passenger Service. SCHANTON, Pa., Aug. 22.-There is talk of a strike among the trainmen and conduc-tors of the Lackawanna Railroad because of the action of the company here to-day n laying off one trainman from each crew making through trips, except on passenger

This throws the extra work on the cor ductor and the other trainmen, and they sserted to-day that they would refuse to do it. The company says the introduction of the air brake on coal and freight trains renders the services of the third

LASSDED A SWORDFISH, The Crew of a Schooner slipped the Rop

Over Its Tail. BOSTON Aug. 22.—Capt. Benjamin Good-win of the fishing schooner Thomas Knight yesterday the crew sighted a swordfish apparently asleep on the surface of the water. The helmsman made for it, and as the Knight ran by Edward Peterson and John Firth slipped a noose over the tail of

the fish. The crew tried to haul it on board, but the fish struggled so hard that the tie slipped a little and it got back to the water. There it made a gallant fight, but two dories were lowered, and after nearly two hours of lowered, and after nearly two dories were fighting the fish was hoisted on board. Nothing saved the dories and the schooner from attack by the fish but the fact that its tail was held tight by the noose and could not be used. The swordfish weighed 495 pounds.

### with Mr. Rand they went to the offices of NO STRIKE ON THE BLEVATED.

MISUNDERSTANDINGS HAVE ALL BEEN CLEARED AWAY.

Long Service on the Old Boad Will Count in Getting Places on the New Subway. but Not Afterward-15 Minutes Talk Will Satisfy All, Says E. P. Bryan.

As a result of a conference yesterday

afternoon between representatives of the elevated railway employees and E. P. Bryan, vice-president and general manager of the Interborough Rapid Transit Company. an understanding was reached whereby all danger of a strike on the elevated. If such danger really ever existed, was to all intent and purpose averted. There s to be another conference this morning at 11 o'clock. Mr. Bryan said last night that he had no doubt that all matters at issue between the company and its employees will then be settled in fifteen

Those present at vesterday's conference were Mr. Bryan and Mr. Hedley, representing the Interborough company, and George E. Pepper and a committee representing the local division of the Amalgamated Association of Street and Electric Railway Employees of America. The meeting was held in Mr. Bryan's office at 195 Broadway.

"We had a discussion which was entirely amicable in every way," said Mr. Bryan last night. "It developed that the whole matter was the result of a misunderstanding as to the proposed application of the seniority principle in regard to promade clear that the rule of seniority in the service would apply in taking men from the elevated to the underground line—that men of long service on the elevated, in other words, should have the preference over new applicants for places in the underground service. It was also made clear that men once in the underground service began anew again in the matter of seniority-that is, that all started even once more, seniority in service on the elevated no longer counting in the matter of promotions in the underground service.

"The elevated seniority applies only in getting places in the underground service. Places in the underground once obtained the value of the elevated seniority in the matter of promotion becomes extinot. There was some misunderstanding on this point and with it cleared away by the conference of to-day, there really remained substantially nothing at issue. At the conference we have at 11 o'clock to-morrow morning I think I am justified in saying that the whole matter will be amicably settled up in fifteen minutes."

Chairman Pepper of the men's committee said in the most positive manner that there would be no strike.

The local members of the Brotherhood of Locomotive Engineers and the Brotherhood of Locomotive Firemen, 749 in number, held an all day session yesterday in the Harlem Arcade, at 211 East 124th street, and by a unanimous vote sustained the action that has been taken so far by the members of the executive board chosen to represent both bodies. A vote of confidence in any future action of this board was also given. The action of the executive board up to

the present time has consisted of trying to Willow Lakes before the storm had a arrange a conference with the officials of the Interborough company. The execuit is certain that no drastic action will be

> DROWNED OFF BOSTON LIGHT. Attempt to Pick Up a Lost Hat Costs the Lives of Three Persons

Boston, Aug. 22.-Three persons wer drowned by the capsizing of the catboat Vision off Boston light this afternoon. The victims were Carl Linderquist, aged 40; his stepdaughter, Mary Anderson, aged 19, and Rolf Jacobson, aged 16, all of Cambridge. Carl Umlandt, aged 35, and Harriet Anderson, aged 17, were rescued by a

Umlandt hired the Vision at Quincy this morning and sailed her to City Point, where took aboard the others, and they started for an afternoon's sail. When off Boston light Umlandt lost his hat overboard and would have let it go had not the women said that it was bad luck to lose it. Umlandt came about and started after

the hat. While sailing by it everybody made a grab over the lee rail for it. Just at that moment, a strong puff capsized the craft and she went down. The tender broke loose, and the five people tried to get into it, but in doing so capsized the

Linderquist and Jacobson sank imme diately. Umlandt got hold of the two girls and tried to hold them up. When he was going down for the third time he released his hold on Mary and she sank. A momen later the fishing dory came up and saved

LONG CHASE AFTER RUNOVER.

Child Slightly Hurt, but Police Want Owner of Buggy Driven by Two Young Men. Albert Biggie, 22 years old, of 402 East Seventy-ninth street, and William Laterman of 526 East Eighty-fourth street, were arrested after a long chase last night at Ninety-seventh street and Second avenue for running down three-year-old Henriette Klayner of 308 East 102d street. Detectives Steinkamp and Sommers of the East 104th street station had to pull their pistols before the young men would slow up and submit to arrest. The child was only slightly hurt.

The child was playing in front of her home with the children of Isaac Yaeger, who keeps a small store in the same building. She ran out in front of the light phaeton in which the young men were driving. Yaeger chased after the men who whipped up the horse and started down Second avenue. Policeman Costin saw them coming at 100th street and blew his whistle, which attracted the notice of Detectives Sommers and Steinkamp, who were on the rear platform of a southbound

were on the rear platform of a southbound Second avenue electric car.

They jumped off and when the buggy caught up with them drew their revolvers. The prisoners were taken to the East 104th street station. They said they had been at Sulzer's Harlem River Park, and left there in the buggy with another man who jumped out and escaped when they ran over the little girl. Laterman said they did not know what the man's name was.

The sergeant sent out a general alarm to find the owner of the horse and buggy.

The delights of Montreal, Quebec, and the St. Lawrence will astonish you. New York Central has seven routes. Tickes Agents will explain. —Ass.

Man Bets \$5,000 to \$1,000 That She Didn't Wear a Snake on Her Neck. INDIANAPOLIS, Aug. 22.—The report in the newspapers that Alice Roosevelt was wearing a garter snake around her neck and intended to introduce the custom into Washington society has caused a great deal of comment from newspapers and individuals in Indiana. Among those who have taken interest in the story is Dr S. W. Edmonds of Goshen. He is a great admirer of the President and has expressed indignation over the reports concerning Miss Roosevelt and her familiarity with

While discussing the matter on the street in Goshen to-day, belief in the story was expressed by men in, the crowd and the doctor promptly offered to wager any amount that the newspaper stories were lies. One banter followed another till the doctor offered 5 to 1, and \$1,000 was promptly put against the doctor's certified check

It was agreed that Miss Roosevelt her self should decide the bet and Dr. Ed-monds wrote to her calling attention to the stories and enclosing a newspaper dipping and asking if they were true The letter was mailed this afternoon and upon the reply depends the winning or

osing of the wager. Dr. Edmonds is confident that the story s a canard and he will be greatly surprised if he should find that Miss Roose velt was really wearing a garter snake around her neck

MRS. BOTKIN SENTENCED. New Trial Refused, and She Goes to State

Prison for Lafe. SAN FRANCISCO, Aug. 22.--The famous poisoning case of Mrs. Cornelia Botkin came to an end to-day, when Judge Cook of the Superior Court sentenced her to life imprisonment in the penitentiary at San Quentin for the murder of Mary Elizabeth Dunning of Dover, Del. He did so after rendering a decision on a motion for new trial, in the course of which he declared that if he had his way the condemned woman would be hanged for her crime. The jury fixed punishment at life

Mrs. Botkin received her sentence without emotion. She had intended to make a statement, but so quickly did Judge Cook pass from asking if there was any legal cause why sentence should not be pronounced to passing the sentence that she did not have an opportunity to speak.

The Judge said Mrs. Botkin had been tried twice and each time the jury had convicted her. She had had every protection of the law and had had able counsel A stay of thirty days was given for the preparation of a bill of exceptions for appeal to the State Supreme Court, but it s not thought that the court will grant a new trial.

By the end of September Mrs. Botkin will begin serving her sentence for the crime committed six years ago.

A. BELMONT'S BARNS BURNED. Seven Buildings Destroyed on His Nursery Farm Near Babylon.

BABYLON, I., I., Aug. 22,-Seven barns on the Nursery farm of August Belmont, two miles north of this place, were destroyed by fire this afternoon. With them were burned 100 tons of hav, 400 bushels of rye 25 cords of sawed wood and a lot of farming machinery and fittings. The loss is esti-

The fire started in the large hay barn which was the centre of the group. It is believed to have been the result of spontaneous combustion due to the close packing of green hay. Seven two-year-old horses intended for carriage use were in the lower part of the building, but were rescued. The remainder of the live stock was in the field.

The local firemen were called to aid in fighting the flames, but were delayed in reaching the scene by the fact that fifteen minutes before the call came for the blaze at the Belmont farm the firemen had been called to fight a small fire in the new Colonial residence being erected for T. Frank Shortland of Brooklyn.

COP DOES FLY ON THE WALL ACT. Nilson of the Tenderioin Liberates Three Locked-in Tailors

Policeman Nilson of the Tenderloin who used to be a sailor and climb around on nothing at all, brought his old-time skill into play last night and rescued three men locked up in the building at 928 Broadway by edging along the second story window ledges of three buildings until he got to where they were. Then he climbed in and smashed a padlock. They hadn't thought of doing it.

thought of doing it.

A crowd on Broadway which had held its breath while Nilson did his fly-on-a-wall act ripped out a cheer when he finished

safely.

Three tailors had been locked in the second floor of \$28. Nilson climbed out of the second floor of the Bancroft House, at the corner of Twenty-first street, four doors away and worked his way along to them. He at first invited them to accompany him back, but they said they didn't want to be mashed on the pavement. At the same time Policeman Bernard of the same station was rescuing a man who had been locked in the third floor of an office building at 39 West Ninth street. Bernard didn't climb.

BOERS AT ELLIS ISLAND. Irrecencilables En Route From Bermuda

to South Africa. Eight Boers who have been in Bermuda ince the conclusion of the war in South Africa arrived yesterday from the island aboard the Quebec Line steamship Trinidad. They had refused to swear allegiance to the British Crown, and therefore could not get transportation at the expense of the British Government back to their native land.

of English since their detention in Bermuda and have no ill will toward the English people. They were enabled to leave the island chiefly through the efforts of friends, who, under the management of the Rev. Dr. Boynton of Freeport, L. I., got up a fund to send them back to South Africa.

They will be detained at Ellis Island until the clearward in send their testific to the control of the con clergyman is ready to ship them to their

DIDN'T WAKE THE BABY. Even When 6-Year-Old Tumbled From

Rose Muldoon, 6 years old, tumbled out last night. Rose fell into a baby carriage, in which was a baby belonging to William Wentworth, who lives on the ground floor. The sleeping baby wasn't awakened, even when Rose bounded onto the sidewalk. But the baby carriage saved Rose, who was only slightly bruised.

Above Into the Haby Carriage

LEFT IT TO MISS ROOSEVELT. TO DIVIDE PHIPPS FORTUNE?

MRS. PHIPPS GOES HURRIEDLY TO CHICAGO ON CALL.

Pittsburg Friends Believe That She Is to Get \$5,000,000 and Not Contest the Diverce Suit-Chicago Limited Train Stopped in Suburb Specially for Her. PITTSBURG, Pa., Aug. 22.-Another ef-

fort to divide the \$20,000,000 of Lawrence E. Phipps between himself and wife, so that she will not contest the divorce proceedings now under way in Denver, Col., is being made secretly in Chicago to-night. Mrs. Phipps was called to Chicago by the attorneys of her husband to have a final conference in the matter, and it is said by friends of Mrs. Phipps here that the hushand has virtually agreed to her terms, children for one-half of each year.

Lawrence Phipps several months ago stole his children from his wife, who had them in a New York hotel, and fled with them to Denver, where they are still kept under close watch. He then entered suit for divorce against Mrs. Phipps, and the case, which is to come up on Sept. 13, promises to develop disclosures not agreeable to all concerned

Mrs. Phipps left Pittsburg for Chicago last night under peculiar circumstances. She succeeded in doing what large offers of money time and again have failed to do—stopped the fast Chicago Limited train on the Pennsylvania Railroad at a wayside station when it did not seem a case of life

Much depended on the young wife getting away from Pittsburg without it being known, and last evening after giving a inner to some friends in her palatial home on Fifth avenue Mrs. Phipps excused herself and with her maid entered a closed carriage brought by her attorney. James S. Young, and drove at breakneck speed to the Shady Side station, then dark and deserted. The Pennsylvania limited came along and brought up at the dark station on the edge of Pittaburg, and a few loungers saw two women and one man hurry from the carriage into the train, which was off again in an instant. The trio were Mrs. Phipps, her maid and United States District Attorney Young, all bound for Chicage.

Mrs. Phipps and her maid locked them selves in a stateroom while the train stopped in Pittsburg, and no reporter or friend saw them. The news of this late move on the part of Mrs. Phipps caused much comment in Pittsburg to-day when it became known That the case is about to be settled is beieved by most of the society set.

Mrs. Phipps said before leaving that she would return from Chicago the moment the conference was over. She did not know whether her husband would be in Chicago, but she knew his attorneys would It is reported here that the limited had

erders to stop at Englewood, on the out-skirts of Chicago, this morning and let Mrs. Phipps off. There is nothing known in Pittsburg to fix the place in Chicago where the alleged settlement is to be made.

CAR CRUSHED EXPRESS WAGON. Slippery Rails Cause Collision-One Dying; Three Others Hurt.

A two horse wagon belonging to Rankin's Express Company, a suburban dethrough Nineteenth street at 9 o'clock last night, was struck by a southbound Sixth avenue surface car. It was crushed against an elevated railway pillar and demolished. The horses ran away and

were captured at Seventeenth street. Henry Sutton of Belleville, N. J., the driver of the wagon, and his helper, William Foote, 18 years old, were thrown under the wreckage. Sutton was badly injured and was taken to St. Vincent's Hospital. The doctors there say he cannot recover. Young Foote was attended by an ambu-

lance surgeon and went home. Thomas A. McKennell, a lawyer, with offices at 52 Broadway and living at 1341 Tremont avenue, The Bronx, together with Ward Van Allen, a wholesale liquor dealer, of 4251 Third avenue, were crossing the street at the time of the crash. Both were struck by flying bundles and severely cut and

bruised. They went home, however. the police that he had attempted to stop his car and avoid the collision, but was unable to do so, as the rails were wet and slippery.

THEATRICAL TRAIN WRECKED.

bers of Playing Companies Hurt. WORCESTER, Mass., Aug. 22 .- By a wreck of a special theatrical train at Westboro early this morning, two locomotives were nearly demolished, two cars were tipped over and thirty-two of the sixty-five passengers were injured slightly.

The train contained members of Charles Blaney's "More to Be Pitied Than Scorned" company, and members of Liebler & Co's "Eternal City" company. The train was behind time and Engineer Homer Dodge supposed he had right of way. A freight backed on the main track and before the special train could be stopped the crash came. The engineer was caught

under the engine, but not burt mortally. In the rear car of the freight were some sheep, and of these sixty were killed. scenery cars were in the front part of the special train, which fact accounted for the escape of the passengers.

The companies were to have opened Boston to-day.

Bar Harbor Plant Put Out of Bu -Inconvenience to the Navy. BAR HARBOR, Me., Aug. 22.-The United

COALING STATION DAMAGED.

States Navy suffered a severe loss in the general storm which struck the Maine coast on Saturday night in the blowing over of one of the big towers in the coaling station at Lamoine, making the entire station

The loss is especially serious at this time, ming after the building of the station in Portland harbor, leaving the navy at resent without a coaling station north of Charlestown, Mass. It will prove inconmient, as the training squadron of three ressels is on its way here from Bar Harbor and three of the vesseis of the Asiatio squadron were expected to coal here the to this side of the Atlantic.

It will also prove to be a considerable loss, as it will take at least \$100,000 to put

### SAVED THE INGALLS PARTY.

Farmer Replaces a Broken Rail in Time to Prevent an Accident.

INDIANAPOLIS, Aug. 22.-M. E. Ingalle, president of the Big Four railroad com pany, and a party of friends were saved from probably serious injuries yester-day by an Elkhart county farmer. Mr. Ingalls and his friends passed through Goshen on a special train composed of an engine and two coaches. The train had the right of way over the road and was travelling at a high rate of speed.

Alva Blough, a farmer living near the railroad track, was walking along the track. and just as he heard the whistle of th train for a crossing he saw that a part of a rail had been broken. He did not have time to run ahead and flag the train so as to stop it, and he hastily placed the broken rail in position and jumped to one side. Blough thought it possible that the broker rail might remain in position and carry the train across, and in this he was not mistaken. The train passed safely over it, but the rail was displaced as the last wheel went over it and was found forty feet away, down the track.

FERRYBOAT NEAR THE REEFS. Engines of 34th St. Liner Break Down and She Drifts Toward Black well's Island

Two hundred passengers on the ferry boat Hudson City, which left East Thirtyfourth street for Long Island City yester day afternoon at 4 o'clock, got a bad scare when the breaking of the engine's delivery valve left the boat helpless in midstream.

The strong tide seized the boat and headed it toward the dangerous rocks south of Blackwell's Island. Capt. Kehoe immediately signalled to Long Island City for assistance, and the railroad tugs Syosset and Long Island put out to assist the drift-

ing ferryboat. Before the tugs could make fast to the Hudson City she had floated to a point opposite Fiftieth street, Manhattan, with the Blackwell's Island reef so perilously near that the passengers had their eyes on life preservers. The Hudson City was then towed to Long Island City, where she was tied up after the passengers had landed. Capt. Kehoe said that the damage would be repaired before this morning.

TWO COLLEGE GIRLS DROWNED. Bates Students Go Down Together While Bathing in Little Sebage Lake.

SEBAGO LAKE, Me., Aug. 22.-Miss Clark Smith and Miss Amy Clark, Bates College students, both of Gray, were drowned in Little Sebago Lake to-day. Miss Smith was bathing and was attacked by cramps. Miss Clark went to her rescue.

\$30,000 KIDNAPPING THREAT. E. E. Burlingame, Rich Colorado Minin Man, Ordered to Pay a Large Sum. DENVER, Col., Aug. 22.-E. E. Burlingame, wealthy mining man, has received an

nonymous letter saying

"Your grandson is in danger. You must give us \$30,000 within a week or we will kidnap him. Do not tell the police or it will be worke for you. Publish this to your sorrow. We are a determined band." The grandson referred to is seven-year-old Eugene Mechling, Mr. Burlingame's favorite, and the son of a prominent druggist. While detectives are searching for the writer of the letter the boy is being guarded day and night by a special guard paid for by his grandfather.

SOME HOPE FOR MR. HOAR.

Ability to Take Neurishment Gives Encouragement to His Physicians. WORCESTER, Mass., Aug. 22.-Rockwood Hoar gave out this statement to-night relative to the condition of his father,

Senator Hoar: "The Senator was restless this afternoon and has some slight trouble with his throat. He is sleeping now, and will have a comfortable night. There seems to be little change in his condition. He is very weak however, and a relapse would be a very serious thing."

Dr. Gilman says that the fact of Senator Hoar's taking nourishment is encouraging and shows that there is still hope, although it is very slight. To-day the Senator did not sit up. He slept a good deal. Indications point to a gradual wearing away of the constitution.

The Senator always awakens with clear mind and is cheerful. Nobody except his son and daughter, outside of the nurses, is allowed to see him. The attending physicians now say that the only hope is in his ability to take nourishment, thereby

gaining strength. BRIDAL TRIP IN CABOOSES.

Young Married Couple Using Freight Trains on Their Honeymoon Journey. NEW HAVEN, Aug. 22 .- Preferring to travel on freight trains on their wedding trip, Mr. and Mrs. Robert Arkwright, from western New York, passed through here last night on one of the through freights on their way to Maine. They have travelled the entire distance since they left home

in the caboose of a freight train. By reason of letters of introduction from an official of the New York Central road, they have been accommodated on freight trains wherever they wished to go. Their baggage consists of a canvas which they are going to set up when they reach Maine, and where they expect to spend two weeks before returning by the same freight route. They stop at cities

DESERTER SENTENCED TO DEATH. Private Scow Left His Regiment and Served With the Filipines.

WASHINGTON, Aug. 22.—Seldom in recent rears has a sentence of death been imposed on a United States soldier for any crime short of murder. Private Fred H. Scow of Company M, Twentieth United States Infantry, who deserted in the Philippines and afterward served with the insurgent forces against the United States, has now en condemned to death for his misdeeds. The papers in the case have been received at the War Department and it is considered probable that the President will commute the sentence to imprisonment for life, although elemency was not recom-mended by the court which tried Scow. The records of the case show that Scow

served in the insurgent army under the name of Frederico de La Cruz. He is charged with having broken his allegiance and with desertion and treason.

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## CHINA MUST ACT.

# Powers Decline to Mix in the

### EUROPE SOUGHT OUR LEAD.

Shanghai Crisis.

### Russian Ships Still in Port, But Repairs Are Stopped.

Time for Leaving or Disarming Extended, and It Is Believed Russia Will Yield -Japanese Fleet Off the Port and of Neutrality Are Enforced-Meeting of Consuls Refers the Case to Pekin -Meagre Reports of the Fighting Around Port Arthur-Japanese Ships That Sank the Novik Shell Karsakoff.

Special Cable Despatches to THE SUK. SHANGHAI, Aug. 22 .- Mr. Goodnow, the American representative, as dean of the consular body, presided at the meeting of the Consuls which was held to-day to consider the refusal of the Russian warships to leave this port on China's order.

Mr. Otaghiri, the Japanese Consul, protested in the most emphatic manner against the Russian vessels remaining in the harbor. China, he said, had not observed the laws of neutrality in allowing them to do so, and the Japanese were accordingly entitled to act independently and seize the ships while they were in the harbor.

sisted that the vessels had a perfect right to remain in the harbor to make repairs. He protested against the action of the Japanese torpedo destroyer in entering the harbor. Sir H. S. Wilkinson, the British Consul suggested that the whole matter be re-

ferred to the Chinese Government at Pekin,

M. Kleimenoff, the Russian Consul, in-

work on the cruiser Askold being suspended for forty-eight hours. This was eventually adopted The Consuls will make no further move pending instructions from their Governnents, but it was unanimously resolved

that China must not shirk her responsibility as a neutral by leaving the affairs to them. Meanwhile the Taotai, the local official, extended the time limit for the cruiser Askold and the destroyer Grosovoi to leave port until noon to-morrow.

The Japanese torpedo boat which came in yesterday left the harbor to-day with despatches to the Japanese fleet which is off the river mouth. This fleet consists of two cruisers and two torpedo destroyers. The belief is growing that eventually the ins will be disarmed, but the Russians will put this off as long as possible for the purpose of keeping the Japanese

warships loitering off the port. Fighting in the harbor of Shanghai is

no longer feared. London, Aug. 22.-A news agency despatch from Shanghai says the American warships at that port, while outwardly inactive, have been for several days practically cleared for action. Their gun sights are in position and they keep steam up. Admiral Stirling is determined not to allow the Japanese to interfere with the Russian ships and has offered to escort them out-

side the three mile limit. NO CALL FOR US TO ACT.

Government Declines to Take Initiative in the Shanghai Case.

Washington, Aug. "22.—"The United States Government will not pull any chestnuts out of the Far Eastern fire," was the statement made to-day by a high Government officer. It voices with force and brevity the present attitude of the United States in the grave situation at Shanghai and Chefoo, where at any time the neutrality of China may be violated in such a way to drag that country into the conflict. However, the officers of the State Department do not seem more than ordinarily concerned, probably because some inside assurances have been received that, while Chinese harbors may see hostilities, the agreement of the belligerents to confine their operations to as small a land area

as possible will be observed. The press reports from Shanghai did not fairly represent the situation, according to the State Department reports. If the American destroyer Chauncey did follow the Japanese destroyer up the river Ju to Shanghai, and then took a position between the Japanese vessel and the Russian cruise Askold, she did not do so with any idea of suggesting American "intervention." The along the route to pass the night. The dock where the Askold is undergoing re-novelty of the trip, it is said, appealed to pairs is immediately on the border of the American concession at Shanghai, and the nchorage of the Chauncey is near by. It can be stated upon high authority that

the belief in Europe that the action of the

Chauncey indicated an intention on the

part of this Government to preserve the

neutrality of China is entirely erroneous. It is the opinion here that Europe's belief is due to the fact that "the wish is father to the thought." While the United States Government initiated the movement which led Russia and Japan to pledge themselves to observe the neutrality of China during the prese conflict, it is held that this does not in any way make the United States Government responsible for the carrying out of the promises. Nations, it was said, are not unlikely to have their fingers burnt by ill advised if well intended haste, and the present situation is believed to be par-

the policy adapted to the present situation. and it will probably remain the policy of the American Government until the Shang-

ticularly one in which precipitancy would be